

EXHIBIT A

IN THE CIRCUIT COURT OF RAY COUNTY, MISSOURI
AT RICHMOND

LEA ANN COVEY,)	
19748 13 Highway,)	
Rayville, MO 64084,)	
)	
Plaintiff,)	
)	
v.)	Case No.:
)	Div. No.:
WAL-MART STORES EAST I, LP,)	
Serve Registered Agent:)	
CT CORPORATION SYSTEM,)	
120 South Central Ave.,)	
St. Louis, MO 63105,)	
)	
Defendant.)	

PETITION FOR DAMAGES

For her Petition for Damages against defendant Wal-Mart Stores East I, LP
("Defendant"), plaintiff Lea Ann Covey (hereinafter "Plaintiff") states:

1. At all relevant times, Plaintiff is and has been a resident of Ray County, Missouri.
2. Defendant is a Delaware limited partnership with its principal place of business in Arkansas. Defendant's registered agent is CT Corporation System which may be served with process at the address stated above.
3. On or about December 17, 2015, at approximately 7:00 p.m., Defendant owned and was operating a store (hereinafter the "Store") located at 908 Walton Way, Richmond, Ray County, Missouri. The slip and fall which is the subject of this lawsuit occurred in the parking

lot of the Store and thus venue is proper in this Court pursuant to Mo. Rev. Stat. § 508.010.4.

4. Defendant operates a business in Missouri and committed a tortious act within the State of Missouri. Therefore, personal jurisdiction is proper over Defendant pursuant to general personal jurisdiction, *State ex rel. Holliger v. Kmart*, 986 S.W.2d 865 (Mo. banc 1999), and Missouri's Long Arm Statute, Mo. Rev. Stat. § 506.500(3).
5. On or about December 17, 2015, and after shopping at the Store, Plaintiff was walking to her car in Defendant's parking lot while pushing one of Defendant's shopping carts. Due to the uneven grade of the parking lot, and unknown to Plaintiff, water had pooled in a low area of the parking lot and formed ice.
6. Plaintiff stepped on the ice and slipped and fell on her right shoulder (hereinafter the "Fall").
7. As a direct and proximate result of the Fall, Plaintiff suffered a severe, painful, permanent and disabling injury to her right shoulder, including a right torn rotator cuff.
8. As a direct and proximate result of the Fall, Plaintiff received, and may receive in the future, medical treatment. The cost of such medical of medical treatment known to date is:

Ray County Hosp. ER (12/18/15)	\$1,536.00
Dr. Mark Rose (12/18/15)	\$990.00
Dr. Luke Wilson (12/18/15)	\$67.06
Dr. John Scowley (12/30/15)	\$83.00
Dr. Alexandra Strong (1/27/16)	\$354.00
US Imaging Network (1/29/16)	\$723.00

Dr. Alexandra Strong (2/03/16)	\$361.00
Dr. Alexandra Strong (2/15/16)	\$10,618.00
Dr. James Rosher (2/15/16)	\$2,700.00
Surgicenter Of Kansas (2/15/16)	\$58,871.00
Dr. Alexandra Strong (2/15/16)	\$10,741.50
Dr. John Scowley (2/23/16)	\$85.00

TOTAL: \$87,129.56

9. As a direct and proximate result of the Fall, Plaintiff has incurred lost wages and income, the amount of which is not currently known.
10. In failing to keep the Store's parking lot in a reasonably safe condition, Defendant failed to use ordinary care and was negligent in the following particulars:
 - a. There was ice on the Store's parking lot and as a result the parking lot was not reasonably safe;
 - b. Defendant knew or by using ordinary care could have known of this condition;
 - c. Defendant failed to use ordinary care to remove the ice, to barricade around the ice, and to warn of the ice; and
 - d. Such failures directly caused or directly contributed to cause damage to Plaintiff. (MAI 22.03)

WHEREFORE, plaintiff Lea Ann Covey prays for an award of actual damages against defendant Wal-Mart Stores East I, LP which are fair and reasonable, for her costs incurred herein, and for such other and further relief as the Court deems just and proper.

DEMAND FOR JURY TRIAL

Plaintiff hereby demands a trial by jury for all issues in this case.

/s/ Farrell D. Hockemeier
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ATTORNEYS FOR PLAINTIFF



IN THE 8TH JUDICIAL CIRCUIT, RAY COUNTY, MISSOURI

Judge or Division: DAVID H MILLER	Case Number: 16RY-CV00817
Petitioner: LEA ANN COVEY	Petitioner's Attorney/Address: FARRELL DOUGLAS HOCKEMEIER 117 W. MAIN STREET RICHMOND, MO 64085
Respondent: WAL-MART STORES EAST I, LP	Court Address: 100 W. Main St Ste 22 Richmond MO 64085
Nature of Suit: CC Pers Injury-Other	(Date File Stamp)

Summons in Civil Case – Domestic Relations Case

The State of Missouri to: WAL-MART STORES EAST I, LP

Alias:

CT CORPORATION SYSTEM
120 SOUTH CENTRAL AVENUE
CLAYTON, MO 63105

COURT SEAL OF



RAY COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

In Your Child's Best Interest is required by section 452.556, RSMo, to be provided to parties in a dissolution or legal separation and motions to modify. This parenting handbook can be downloaded at www.courts.mo.gov. If you do not have access to the internet, contact the court and a copy will be provided to you.

Sept 8 2016
Date
Further Information:

/s/ Megan L. Rowan
Clerk

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the Respondent.
☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Respondent with _____, a person of the Respondent's family over the age of 15 years.
☐ other _____

Served at _____ (address)
in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

(seal)

Subscribed and sworn to before me on _____ (date).

My commission expires: _____

Date

Notary Public

Sheriff's Fees, if applicable

Summons \$ _____
Non Est \$ _____
Sheriff's Deputy Salary \$ _____
Supplemental Surcharge \$ 10.00
Mileage \$ _____ (_____ miles @ \$._____ per mile)
Total \$ _____

A copy of the summons and a copy of the petition must be served on **each** Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

IN THE CIRCUIT COURT OF RAY COUNTY, MISSOURI

LEA ANN COVEY,

Plaintiff,

V.

WAL-MART STORES EAST I, LP,

Defendant.

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Case No.: 16RY-CV00817

Div. No.: III

ENTRY OF APPEARANCE AS CO-COUNSEL FOR PLAINTIFF

Attorney David C. Stout and Stout Law, LLC hereby enter their appearance as co-counsel for Plaintiff. Attorney Farrell D. Hockemeier remains lead counsel for Plaintiff.

STOUT LAW, LLC

/s/ David C. Stout

DAVID C. STOUT, Esq. #34724

6304 North Lucerne Ave.

Kansas City, MO 64151

Phone: (816) 505-0001

Fax: (816) 584-0005

david@stoutlawfirm.com

ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF MAILING

On this 29th day of September, 2016, a true and accurate copy of the above and foregoing was electronically mailed to: **Farrell D. Hockemeier, Esq.**, 117 West Main Street, Richmond, MO 64085, hockemeierlaw@yahoo.com, attorney for Plaintiff.

/s/ David C. Stout